



MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, November 21, 200 8:00 p.m.

MEETING

The Regular Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Rodriquez.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR Cooper
Absent: None

PRESENTATION: Pride in Hayward Award

The following Glen Eden residents were selected for the Pride in Hayward Award for the month of November: Robert and Willa Prater, Raymond and Elaine Martinez, Joe and Maria Silveira, Mark and Whaja Monahan, and Richard and Deborah Sims. Mayor Cooper encouraged residents to consider nominating their residences for this award.

PUBLIC COMMENTS

Jason Moreno, 25200 Carlos Bee Boulevard, reported on the results of the recent Women's Professional Tennis event that occurred in Hayward.

John Kyle, 22638 Teakwood Street, commented that he is disappointed **that** he has not received a response from the Hayward school district on a question regarding bond issues.

Keete Giovanazzi, 29877 Clearbrook Circle, #152, urged that the Council consider more to offset rent increases to its residents than the current rent stabilization ordinance. She expressed the requirements of landlords for potential tenants.

City Attorney O'Toole noted legislative impacts that restrict rent controls.

BOARDS/COMMISSIONS

1. Appointments to Youth Commission/Administer Oath of Office

It was moved by Council Member Ward, seconded by Council Member Dowling, and unanimously carried to adopt the following:

Staff report submitted by City Clerk Reyes, dated November 21, 2000, was filed.

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Resolution 00- 178, “Resolution Appointing Members to the Youth Commission”

City Clerk Reyes administered the Oath of Office to the three new Youth Commissioners.

CONSENT

2. Approval of Minutes of the City Council Meeting of November 14, 2000

It was moved by Council Member Henson, seconded by Council Member Hilson, and unanimously carried to approve the Minutes of the City Council Meeting of November 21, 2000.

3. Adoption of an Ordinance Related to Amendment of Agreement with California Public Employees’ Retirement System

Staff report submitted by City Clerk Reyes, dated November 21, 2000, was filed.

It was moved by Council Member Henson, seconded by Council Member Hilson, and unanimously carried to adopt the following Ordinance:

Ordinance 00-07, “An Ordinance Authorizing an Amendment to the Contract Between the City Council and the Board of Administration of the California Public Employees’ Retirement System”

4. Water System Evaluation Prior to Conversion to Chloramine: Authorization for Execution of a Professional Design Services Agreement

Staff report submitted by Deputy Director of Public Works/ Utilities Ameri, dated November 21, 2000, was filed.

It was moved by Council Member Henson, seconded by Council Member Hilson, and unanimously carried to adopt the following:

Resolution 00-179, “Resolution Authorizing the City Manager to Execute an Agreement Between the City of Hayward and Carollo Engineers for Professional Services Relating to Preparation of a Chloramine Conversion Study and Water Distribution System Master Plan Update”

HEARINGS

5. Appeal of Planning Commission’s Denial of Administrative Variance No. 00-180-12 -

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Jack & Antonia Hagg { Appellant/Owners) - Request to Retain a Storage Shed 3 Feet from a Side Street Property Line Where a Minimum 10-Foot Setback Is Required - The Property Is Located at 3692 Roxbury Lane

Staff report submitted by Acting Principal Planner Patenaude, for November 21, 2000, was filed.

Acting Principal Planner Patenaude presented the findings for the denial and responded to questions from the Council. It was reported that no application for a building permit was submitted. This is the first request for a variance and could set a precedent for future variances.

Mayor Cooper opened the public hearing at 8:24 p.m.

Bob Perry, 26876 Pelham Place, urged the Council to uphold the Planning Director's administrative denial as well as that of the Planning Commission. He cited the CC&R requirements that result in this denial. If approved this would be setting a precedent for further potential slides in that area.

Jack Hagg, 3692 Roxbury Lane, applicant, asked that Council consider the unique topography of his property. He noted that his shed was barely visible from the street. He recently hired an engineer to check the slope, who concluded that the integrity of the slope is not impacted. Denial would impact him financially, He submitted a copy of the engineer's report that was done on his property.

Mayor Cooper closed the public hearing at 8:29 p.m.

Council Member Henson expressed concern that this shed was built without a building permit. He suggested that perhaps a precedent could be set that would trigger other similar structures in the neighborhood.

It was moved by Council Member Henson, seconded by Council Member Dowling, and unanimously carried by all present, to approve the following:

Resolution 00-180, "Resolution Denying Variance Application No. 00-180-12 Of Jack and Antonia Hagg { Appellant/Owners) "

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

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Mayor Cooper asked that Council Member Henson adjourned the meeting at 8:33 p.m. He adjourned in memory of Mary Louise Bennett, pioneer mother of the Palma Ceia Baptist Church. He offered condolences to Reverend Bennett and her family.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward

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